

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:08CR076-P-D

VATESTA JOHNSON WASHINGTON,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant Vatesta Johnson Washington's motion to continue trial [37] and her counsel's motion to withdraw as her attorney [36]. After due consideration of the motions, the court finds as follows, to-wit:

Having considered defense counsel's motion to withdraw, the court finds that it should be granted conditionally upon new counsel's filing of a notice of appearance.

Trial is currently set for January 26, 2009. Defense counsel also requests a continuance to in relation to the motion to withdraw. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from January 26, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant more time to acquire new counsel. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defense counsel Martin A. Kilpatrick's motion to withdraw [36] is granted conditionally upon new counsel's filing of a notice of appearance;

(1) Defendant Vatesta Johnson Washington's motion to continue trial [37] is **GRANTED**;

(2) Trial of this matter is continued until Monday, March 30, 2009 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from January 26, 2009 to March 30, 2009 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is March 9, 2009; and

(5) The deadline for submitting a plea agreement is March 16, 2009.

SO ORDERED this the 15th day of January, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE